

Please cancel Claims 11 and 12 without prejudice or disclaimer.

REMARKS

This Amendment is responsive to the outstanding Office Action. Reconsideration of the rejections of Claims 1-10 and 13-15 is respectfully requested. Claims 11 and 12 are hereby canceled without prejudice or disclaimer. By this Amendment, new Claims 18-20 have been added and are believed allowable over the prior art of record. Allowance of the claims of this application is requested.

Drawing Correction

Proposed drawing corrections will be submitted which overcome the items pointed out in the Office Action once an indication of allowable subject matter in the present application is obtained.

The §103 Rejections

Reconsideration of the rejection of Claims 1-5, 7-10 and 13-15 as being obvious under 35 U.S.C. §103 over U.S. Patent No. 5,995,938 to Whaley in view of U.S. Patent No. 5,102,169 to Mayfield is respectfully requested.

Claim 1 recites limitations which simply are not provided by either Whaley or Mayfield or their combination. In particular, the combination of Whaley requires the use of a computer system in order to generate a reminder system. Applicant's invention does not teach or suggest the use of computer tools in order to provide the system recited. Nor would it be obvious from the computer generated system in Whaley to obtain Applicant's invention. As nothing about the teaching of Whaley, or its combination with Mayfield, discloses or suggests the Applicant's invention, Claim 1 should be allowed.

The Office Action correctly points out that Whaley does not disclose color shading of rows. Neither does Mayfield. Applicant's system includes rows of the color coded sheet which are shaded in color. Mayfield discloses the use of color only within the symbols which are attached to Mayfield's chart. Although the Office Action indicates that Applicant's colored rows would be obvious in view of Mayfield, this does not appear to be the case, as providing such

shaded rows in Mayfield would detract from one's ability to recognize the colored symbols used by Mayfield. Thus, Mayfield does not teach or suggest the recited invention. Moreover, the colored rows associated with Applicant's system assists particularly those patients with eye problems in matching dosage instructions with the appropriate container of medication. As a result, it is not readily shown how the combination of Whaley with Mayfield renders the claimed invention obvious, and reconsideration is requested.

Claims 4-5 additionally provide limitations related to the type of information provided as well as the type of markings provided within Applicant's reminder system. While the Office Action attempts to argue the obviousness of the limitations, nothing is provided which would appear to render such additional limitations obvious. Additionally, the specific form of the reminder markings, or printed matter, as recited in these dependent claims does in fact provide them with a new relationship with respect to the system, thus rendering them allowable subject matter.

Reconsideration of the rejection of Claims 6 and 16 with respect to the combination of Whaley, Mayfield with the addition of U.S. Patent No. 5,992,888 to North, is also respectfully requested. As the combination of Whaley with Mayfield fails to provide Applicant's recited invention, the addition of North does not cure this failing. Specifically, the Office Action first indicates that Whaley and Mayfield fail to provide advertising markings and coupons, and then adds that North discloses a reminder system. This is not the case. North provides a point of sale transaction record. The North sales record is used at the time of a business transaction to record the amount of a sale. Nothing about the device and method disclosed by North can be considered a reminder system of the type recited by Applicant. One of ordinary skill in the art would not look to a sales transaction record in connection with the creation of a patient reminder system. The North reference is erroneously applied to this failed combination.

Reconsideration of the rejection of Claim 17 as obvious over Whaley in view of U.S. Patent No. 4,295,664 to Cutting is also respectfully requested. The logic of the combination of these references is not understood. Whaley provides a computer generated reminder which generates a form. Why would one of ordinary skill in the art use any form of tablet of the type Applicant recites, or even the multiple page chart or package of the type shown in Cutting when

the computer generates the form? Such a combination would not be obvious, does not render the present claims obvious, and is in error. Reconsideration of this rejection is strongly requested.

With respect to the dependent claims 2-3, 7-10, and 13-15, additional claimed subject matter is likewise recite which is believed to justify allowance of these claims which depend from allowable independent claims.

New Claims 18-19

By this Amendment, new Claims 18-19 have been added. Claims 18 and 19 are indirectly dependent on Claim 1 which is patentable for the reasons stated above. Claims 18-19 add additional patentable limitations which are not new subject matter. Allowance is requested

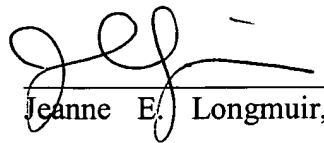
CONCLUSION

For the reasons set forth above, Claims 1-10, 13-17 and new claims 18-19 patentably and unobviously distinguish over the references of record and are in condition for allowance. Notice to that effect is respectfully requested.

Respectfully Submitted,

Date: _____

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